

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAWN GARRETT BAUTISTA,

No. C 04-187 SI (pr)

Plaintiff,

**PROTECTIVE AND SCHEDULING
ORDER**

v.

JIM BABCOCK, etc.; et al.,

Defendants.

Upon good cause shown, defendants' unopposed motion for a protective order is GRANTED. (Docket # 53.) The documents sought to be protected and the extent of the protection sought appear to be as mentioned in the Defendants' Amended Privilege Log In Support Of Motion For Protective Order ("Amended Privilege Log"). (Docket # 55.) The documents identified in the Amended Privilege Log as not having been produced need not be produced at all to plaintiff. The documents identified in the Amended Privilege Log as having been produced in redacted form to plaintiff need not be produced in unredacted form. In other words, defendants do not have to further produce to plaintiff the documents listed in the Amended Privilege Log as not produced or produced in redacted form.

As mentioned in the January 20, 2006 Order Denying Motions And Setting Briefing Schedule, the court wanted to resolve any motion for a protective order before entertaining any motion to compel. Having ruled upon the motion for a protective order, the court now sets a briefing schedule for plaintiff's motion to compel discovery, if he still wishes to file such a motion.

1 1. Plaintiff must file and serve on defense counsel any motion to compel no
2 later than **February 9, 2007**. Plaintiff may not move to compel any document that is subject to
3 the protection mentioned in the first paragraph of this order. Plaintiff is reminded that he must
4 engage in a good faith effort to meet and confer to resolve any discovery dispute before he files
5 a motion to compel.


6 2. Defendants must file and serve any opposition to plaintiff's motion to
7 compel no later than **March 9, 2007**.

8 3. Plaintiff must file and serve on defense counsel his reply brief, if any, no
9 later than **March 16, 2007**.

10 Plaintiff is reminded that, because he is no longer in custody, he is no longer subject to
11 the prisoner mailbox rule which deems documents filed when mailed by prisoners. As long as
12 he remains out of custody, any filing from plaintiff must reach the courthouse by the deadline
13 and not merely be mailed by the deadline.

14 IT IS SO ORDERED.

15 Dated: January 11, 2007



SUSAN ILLSTON
United States District Judge